



21348/11/2005

PATENT  
Attorney Docket No. 041465-5112

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Masanori NAKAHARA et al. ) Confirmation No.: 1384  
Application No.: 09/981,470 ) Group Art Unit: 2616  
Filed: June 27, 2001 ) Examiner: J. Fletcher  
For: INFORMATION RECORDING )  
APPARATUS AND INFORMATION )  
RECORDING METHOD, AND )  
INFORMATION RECORDING MEDIUM ) **Mail Stop Amendment**

Commissioner for Patents  
U.S. Patent and Trademark Office  
**Customer Window, Mail Stop Amendment**  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

05/19/2005 SZENHIE1 00000067 09981470

Sir:

01 FC:1253 1020.00 DA

**AMENDMENT TRANSMITTAL FORM**

1. Transmitted herewith is an Amendment in response to the Office Action dated November 18, 2004.
2. Additional papers enclosed.

Drawings:  Formal  Informal  
 Request for Approval of Drawing Change to Figures     
 Information Disclosure Statement  
 Form PTO-1449,    references included  
 Citations  
 Declaration of Biological Deposit  
 Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.  
 Certified translation of Japanese Patent Application No. 2000-193401 w/verification of translation page.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

Applicants petition for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$225.00
<input checked="" type="checkbox"/> three months	<b>\$1,020.00</b>	\$510.00
<input type="checkbox"/> four months	\$1,590.00	\$795.00

If an additional extension of time is required, please consider this a Petition therefor.

An extension for \_\_\_ months has already been secured and the fee paid therefor of \$ \_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	26	Minus	26	0	x \$50.00 each=	+\$ 0.00
Independent Claims (37 C.F.R. §1.16(b))	9	Minus	9	0	x \$200.00 each=	+\$ 0.00
[ ] First presentation of Multiple dependent claim(s)					\$360.00	+\$
					<b>SUB-TOTAL =</b>	<b>\$ 0.00</b>
					<b>Reduction by 1/2 for filing by a small entity-</b>	<b>\$0.00</b>
					<b>TOTAL FEE =</b>	<b>\$ 0.00</b>

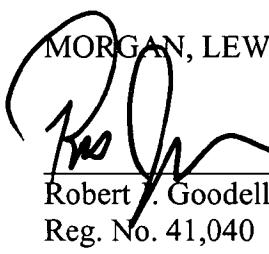
6. Fee Payment

[ ] No fee is to be paid at this time.

[X] Please charge our Deposit Account No. 50-0310 in the amount of **\$1,020.00** for the three-month extension of time fee.

[X] The Commissioner is hereby authorized to charge any additional fees including fees due under 37 CFR §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

  
MORGAN, LEWIS & BOCKIUS LLP

By:

Robert J. Goodell  
Reg. No. 41,040

Dated: May 18, 2005

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